

Constitution of the United Lao Council for Peace, Freedom, and Re-construction (ULCPFR)

PREAMBLE

We, members of the United Lao Council for Peace, Freedom and Reconstruction, gathered together on this 19th of August, 2012 in the town of Appleton, state of Wisconsin, country of United States of America to form a political organization in order to promote the principles of democracy throughout Laos.

Central to the work of the Council are the preservation and promotion of the true independence, full territorial integrity, democratic values, and cultures of the country of Laos.

The Council shall be a linkage with all Lao overseas organizations in the United States, France, Australia, Canada, and elsewhere around the world and the Lao people who are still struggling for peace, freedom and democracy inside Laos.

Article 1: NAME

1.1 Name

The name of this organization shall be the United Lao Council for Peace, Freedom, and Reconstruction (ULCPFR).

1.2 Purpose

The purpose of the United Lao council for Peace, Freedom and Re-construction is to bring true Independence, Peace, Freedom and Democracy to the Lao people inside Laos.

1.3 Mission

The mission of the ULCPFR is to advocate, lobby and support all Lao Democratic Movements both outside and inside Laos and open the door for all Lao overseas who wish to go back to conduct businesses, work, and contribute to the reconstruction and development of the country in all possible means.

1.4 Administration

Until democracy returns to Laos, this Council will act as the principle body to advocate for democratic reform in Laos and monitor the country's democratic progress from overseas.

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ARTICLE 2: STRUCTURE

The Council shall consist of the Executive Officers, Board of Advisors, and Members. All members of the Association shall be eligible to hold any of the offices of the Council; however, no one shall be able to hold more than one elected office at any one time.

2.1 The Executive Officers

The Executive Officers shall include President, Vice-Presidents, Continental Presidents, Continental Vice-Presidents, Secretary-General, and Treasurer.

2.2 President

The President shall have general supervision of the affairs of the Council and be the main negotiator with foreign countries. The President shall be the authorized signatory of all contract and legal documents executed by the Council or shall assign another executive officer to sign specific contract or document in his or her absence. The President shall also have the power to appoint the other executive officers of the Council and act as the leader of all committees formed under his or her direction. The President shall serve no longer than four years a term and no more than two consecutive terms.

2.3 Vice Presidents

The Vice Presidents shall be appointed by the President but subject to the approval of the majority of the members of the Council and, once approved, assume all duties of the President in his or her absence and support the goals and policies of the President to the best of their abilities.

2.4 Continental Presidents

The Continental Presidents shall be appointed by the President but subject to the approval of the majority of the members of the Council and, once approved, represent the Council to the members in the continent on which they live to the best of their abilities.

2.5 Continental Vice-Presidents

The Continental Vice-Presidents shall be appointed by the President but subject to the approval of the majority of the members of the Council and, once approved, assume all duties of the Continental President in his or her absence and support the goals and policies of the Continental President to the best of their abilities.

2.5 Secretary-General

The Secretary General shall be the main person to keep all records pertaining to the operation of the Council. The Secretary General shall schedule all meetings, take minutes, write up those minutes, and report them to the Executive Officers.

2.6 Treasurer

The Treasurer shall be the main person to hold all the funds of the Council, which shall be stored in an account in a legal financial institution, maintain a detailed and accurate accounting of all the deposits, expenses, and other transactions within the Council, and report such transactions to the Executive Officers at their regular meeting and members at their annual meeting. The Treasurer shall also be the main signatory of all checks.

2.7 Board of Advisors

The Board of Advisors shall be nominated by any of the Executive Officers or member of the Council and subject to the approval by a majority of the members. The Board of Advisors shall act as the principal body to advise the Executive Officers on the best practices in order to advance the goals and mission of the Council.

2.8 Members

Membership to the Council is open to all Lao people, both outside and inside Laos, who love peace, freedom and democracy, is over 18 years of age and committed to the goals and mission of the Council. Membership is subject to the approval of the President and the sponsorship by someone who is already a member. All existing and new member(s) of the Council shall pay an annual membership fee of \$120.00 (One hundred-twenty dollars), or \$10.00 a month, per member. The annual fee is due at the Annual Conference. Those who cannot attend the Annual Conference due to personal or business engagements can mail in their membership fee to the Council's treasurer by the end of the month of January of the year the membership is due.

ARTICLE 3: MEETING

3.1 Meetings

The Council's meetings shall consist of: (1) Quarterly meetings for the Executive Officers; (2) Annual meeting for all members and officers; and (3) special meetings called for by the President or any other member of the Executive Officers as needed. All meetings shall be scheduled at a location, where most of the officers or members can attend.

3.2 Facilitators

The highest ranking officer of the Council shall preside over and serve as the main facilitator at all meetings. The presiding officer or facilitator shall ensure as much as possible that all voices and perspectives are represented at the meeting within the allotted time.

3.3 Decision Making

Any decision made at the meeting should be done with the approval of the majority of the attendees.

3.4 Attendance

Attendance at all the meetings should be done in person. Executive Officers or members of the Council cannot send representatives or deputies to meetings in their place. If an Executive Officer misses three meetings in a given year, he or she may be subject to removal from office. If a member misses three annual meetings, he or she is also subject to removal from the Council.

3.5 Interpolation

All Executive Officers and members of the Council shall have the right to ask questions and challenge one another's ideas at all meetings without penalty. All shall have the right to freely express their thoughts and opinions without fear of retribution in any shape or form.

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ARTICLE 4: FUNDING

4.1 Funds of the Council

The funds of the Council should be in the primary possession of the Council's Treasurer. The bulk of the Council's funds shall come from member dues, but the Council also accepts donations from governments and non-governmental organizations that support the work of the Council to advance democratic reform in Laos. When necessary to keep the operation of the Council, the Executive Officers may ask for voluntary donations from its members to the organization and engage in some other appropriate fundraising activities, including asking for in-kind contribution from members of the Lao overseas communities.

4.2 Expenses

All the expenses of the Council should be tracked by the Treasurer of the Council and reported to the Executive Officers at their quarterly meeting and members at the annual meeting.

ARTICLE 5: ELECTION

The election for the President of the Council shall be conducted at the annual meeting in December every four years. Nominations for the President should be submitted to a Presidential Election Committee (PEC) no later than the June meeting of the Executive Officers. The nominated candidates should be contacted immediately by the Chairperson of the PEC and informed of their nomination, at which point the nominated candidates can withdraw their candidacy or move forward with it. If any of the nominated candidates decides to withdraw from the race for the President, the Chairperson must inform the existing officers and members of the Council immediately. Before and at the December meeting, the PEC shall make special efforts to give the nominated candidates forums to debate and present their platforms to the members of the Council. Members shall cast their vote for the President at the annual general meeting in December. If unable to attend the meeting, they may mail in their signed absentee ballot to the PEC by the first day of the annual meeting. The President shall be determined by a majority vote and announced to all members of the Council on the last day of the annual meeting in December and assume the duties of the office of the President in January.

ARTICLE 6: COMPLETION, RESIGNATION, AND REMOVAL FROM OFFICE

6.1 Completion of Duty

All elected and appointed officers of the Council shall be expected to serve the full term of their office and carry out the duties required by their office as faithfully as they can. Upon completion of their term, they shall be expected to turn over all items in their possession that belong to the Council to the existing Secretary General.

6.2 Resignation of Officers

If any elected or appointed officer shall resign from his or her position in the Council, the officer shall be expected to submit a letter of resignation to the Executive Officers and Board of Advisors at least three months prior to his or her date of resignation. This will allow the Executive Officers and Board of Advisors time to refill the vacant position, which shall be refilled by the President with the approval of the majority of the members of the Council.

6.3 Removals of Officers

If an officer is found by the Board of Advisors and the Executive Officers to have worked against the Council, including misappropriation of funds in the Council and speaking out in public against the Council, he or she may be subject to removal from his or her position. The removal of the officer shall be made by the majority of the Executive Officers and confirmation of the Board of Advisors.

ARTICLE 7: AMENDMENT TO THE CONSTITUTION

7.1 Constitutional Amendment

The Constitution of the Council may be amended by a majority vote at the annual general meeting in December, and the proposed amendment has to be presented to members of the Council before the general meeting.

ARTICLE 8: RULES AND REGULATIONS

8.1 Expectation and Compliance

All members and officers of the Council shall be expected to comply with the rules and regulations of the Council.

ARTICLE 9: ADAPTABILITY AND COMMITMENT

9.1 Adaptability

The ULCPFR shall be committed to evolving with time and changing political situation inside and outside of Laos and to working until Laos becomes a democratic country, where all Lao, inside and outside the country, shall have equal opportunity to contribute to the reconstruction and development of the country.

9.2 Commitment

The ULCPFR shall be committed to promoting a democratic government in Laos—a government of the people, by the people, and for the people—and to preventing any of the governing officers and external powers from plundering the wealth and natural resources of the country.

ARTICLE 10: VISION

10.1 Long-term Vision

The ULCPFR envisions a democratic Laos, when fully developed, to be a model after Switzerland or another Singapore on the mainland Southeast Asia. A democratic Laos will provide opportunities for both overseas and inside Lao to contribute to the rebuilding and developing the country to become a peaceful, prosperous and modern nation like its developed neighbors. Democratic Laos could adapt some models of developments from Thailand, Singapore, the United States of America and France with the aim of becoming a clean, transparency,

accountability and good government management, which emphasizes on high quality education, social cohesion, sharing benefits, meritocracy and equal opportunities for all.

The good will, integrity and honesty of future democratic Lao leaders along with how well the government can educate and train its population – will determine the level of full potential Laos will be developed.

October 4th, 2012
St. Paul, Minnesota, U.S.A.

New National Policy of Laos

In December 1975, the communist Lao People's Revolutionary Party overthrew the kingdom of Laos and established the Lao People's Democratic Republic, an authoritarian government, which was not a government of the people and for the people. It was in violation of the 1962 Geneva Accord on Laos, 1973 Paris Peace Accords on Vietnam, and 1973 Vientiane Agreements, which guaranteed the independence, neutrality, sovereignty and territorial integrity of Laos. Since that time, the Marxist revolutionaries have implemented communist political, social and economic policies, which have failed and caused great loss of property, human lives, and human rights violations for the Laotian people.

For those reasons, the United Lao Council for Peace, Freedom and Reconstruction proposed a new National Policy for the purpose of governing the country in the future and for achieving peace, freedom, democracy, independence, human rights and development for the Laotian people. The new National Policy was put forth for deliberation and was approved by the ULCPFR's first International Conference held on November 27-28, 2004, in Saint Paul, Minnesota (USA). Four hundred and thirty-nine (439) registered delegates from Australia, Canada, France, Laos, and the United States attended this historic event for national salvation.

There was a gap between 2007 and 2011 due to internal re-organization. However, the organization has begun to continue its mission and activities by holding a meeting on August 19, 2012 in Appleton, Wisconsin, U.S.A. and by re-registering with the U.S. Department of Justice and has been approved with new Registration Number – 6130. Therefore, the United Lao Council for Peace, Freedom and Reconstruction (ULCPFR) will from now on carry its activities according to its Article of Incorporation and report to DOJ as required.

In face of the arduous struggle and the challenges in the present stage, we, the delegates, are resolved to fulfill our patriotic mission. We strongly believe that:

- Laos, in the next era, will be a democratic, free, peaceful, sovereign, and independent state;
- Laos, in the next era, will adopt a democratic governing system with multiple political parties for free and fair elections;
- Laos, in the next era, will ensure respect for fundamental individual rights, such as freedom of speech, freedom of the press, freedom of manifestation, freedom of organization, and religious freedom as

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prescribed in the United Nations Charter and the Universal Declaration on Human Rights;

- Laos, in the next era, will apply the rule of law. Lao citizens, regardless of gender, ethnicity and social class will have the same rights before the law;
- Laos, in the next era, will embrace market-oriented economic development with the participation of private enterprise, will have accountability and transparency, and will foster the capacity for building advanced economic development by creating full employment and upgrading the living standards of the Laotian people, including all ethnic minorities;
- Laos, in the next era, will set up elections according to internationally accepted democratic norms. All Lao citizens, except Vietnamese who obtained Lao citizenship after 1975, will be able to fully exercise their rights to decide and elect their own representatives at national, provincial, mayoral, district, and village levels;
- Laos, in the next era, will provide all citizens with the right to run for public offices with the exception of those individuals whose rights have been revoked by the court because of prior criminal conviction.

To create an efficient and effective governing system that allows individuals to fully exercise their democratic rights, the new National Policy has proposed and will put into practice the principle of separation and balance of powers. Therefore, three branches of public administration, the Legislative, the Executive, and the Judiciary, will be set up as follows:

A. The Legislative

The National Assembly shall function as the principal legislative body of the country. Its members shall be elected by popular vote, and their urgent task shall be to draft new election laws and a new National Constitution. The National Assembly shall enact legislation, act on the national budget and national borrowing, approve treaties, and organize the country's domestic and international policies.

B. The Executive

The president of Laos shall be elected by the will of the people and will be head of state and commander-in-chief of the armed forces. The president shall appoint executives of the government, who shall have the duty to carry out the day-to-day activities of the nation. The Government executives shall include the prime minister, vice prime minister, ministers and vice ministers. All positions shall require the approval of the National Assembly.

C. The Judiciary

The judiciary shall consist of the Supreme Court. Some of its members shall be chosen by the National Assembly and some appointed by the president. The Supreme Court shall act independently from the Executive or Legislative branches. It shall have judicial power to review legal process, declare whether an action taken by the Government was constitutional, and review whether laws passed by the National Assembly are constitutional. The Supreme Court shall protect the rights of all individuals.

To carry out the day-to-day activities of the nation, the Government's focus shall be on Domestic and Foreign Policies as follows:

I. Domestic Policy

1. Economy and Finance

In the short-term, the Government will (1) open all economic sectors to private ownership rights and promote privately owned enterprises. However, the Government shall control strategic sectors such as hydroelectric dams and mining for which the state must have at least 50% share. (2) The Government shall continue to join the Association of South East Asian Nations (ASEAN) as an active partner and get help from its members on education, training, and social and medical health assistance in order to attain a development level equal to other countries in the region. (3) The Government shall promote the tourism sector by improving infrastructures and services. (4) The Government shall provide support for the development of the service sector, as well as the textile and assembly industries.

In the long-term, the Government's priority shall be to develop and foster independent manufacturing industries such as cement, plastic pipes for construction and water, detergent, and medicine, and food processing industries such as coffee, canned fruit or vegetables, and canned soft drinks.

To solve the chronic national trade deficit, the Government shall restructure the economic and industrial sectors in order to control and manage its natural resources in hydroelectricity, mining, and logging. The Government shall encourage small privately owned businesses with export-oriented items in order to generate income and wealth for its citizens and the national economy.

To solve the national debt issue, the Government shall exert a tight control on its expenses and work to manage the national budget. Instead of requesting loans from international financial institutions, the government shall set up plans to

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attract foreign investments on various projects such as infrastructures, hydroelectricity, mining, tourism and related service sectors. In addition, the Government shall work to have any outstanding national debts dissolved from lending institutions and countries.

To attract foreign investments and gain the trust of investors, the Government shall publish reliable economic, financial and trade laws. The Government shall promote a fully open market with tax incentive measures.

The Government shall support and protect rights and interests of Laotian businessmen and businesswomen abroad doing business in Laos.

Every Lao citizen shall have the right to do their businesses to the best of their abilities, support national development, and be protected by the law.

The Government shall establish a National Bank with branch offices in every provincial capital and all major cities. In addition, commercial and private banks will be established in order for citizens to earn interest on their earnings, and to conduct business domestically as well as internationally.

2. National Security Council

The Government will set up a National Security Council attached to the office of the Prime Minister. The National Security Council will work closely with interested ministries in order to coordinate foreign policy and defense policy for maintaining peace, security, and the safety of the nation.

3. Military

The Government will reorganize the national armed forces, which will be placed under the control of the Defense Ministry. Every branch of the armed forces will belong to the national armed forces. It will not be controlled by any particular political party. The national armed forces will be used in defensive actions against foreign invaders. Its mission will be to preserve and defend Laos' territorial integrity. It cannot be involved in political activities. The national armed forces will include ground forces, air forces, and navy with its river flotilla that will have the mission of patrolling the Mekong River and the various hydrolic dams.

The national armed forces will help to manage and provide assistance in case of any natural disaster that affects the civilian population. Further, it will have a special construction unit to help and work with the Ministry of Public Works in national reconstruction.

The Government will set up a service to compensate veterans by providing them with decent living conditions and health care.

4. Police

The Government will restructure the national police, which will be placed under the control of the National Security Council. The national police will uphold a high quality of service standard by ensuring a safe and secure society which strengthens the economic, social and cultural wellbeing of all Lao. It will focus on enforcing law and fighting crime. It will collaborate with the national armed forces in maintaining civil security.

The national police will include (1) metropolitan police, (2) provincial police, (3) immigration police, (4) border patrol police, and (5) a branch of police forces that works collaboratively with international police forces (Interpol) in order to protect the peace and fight against drug and human traffickings and international terrorism.

5. Agricultural, Forestry and Environment

The Government shall increase the amount of land for farming and utilize modern technology to increase crop and livestock production. A priority shall be placed on expanding irrigation systems. The Government shall support farmers' efforts to improve their living standard by encouraging family agricultural corps to attain a higher production level in order to offer their surpluses to the markets for cash. In addition, the Government shall promote livestock and agricultural products which are of interest to foreign countries.

The Government shall undertake an accurate national resource inventory by satellite photographing and mapping existing forests. The Government shall control strictly the exploitation and exportation of timber. The Government shall reform land management and administration, which includes the reservation of forest conservation areas, natural tourist site areas, jungles, forests at the source of rivers, mining areas, and cultural and archeological sites.

To prevent pollution and global warming, the Government will vigorously implement tree planting throughout the country in order to maintain a well-balanced environment. To improve and restore the environmental quality of life in Laos, the Government will implement a green cities plan.

6. Social Services and Health

The Government shall establish a social security system suitable to the needs of the people, which will promote social justice and provide protection to members and their families against the hazards of disability, sickness, maternity, old age, death and other unforeseen events resulting in loss of income or financial problems.

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The Government shall protect the health of all Lao citizens, and provide essential social services for those who are poor and living in rural areas, especially the ethnic minorities in remote regions.

The Government shall implement a system of social justice guaranteeing equal access and non-discrimination in employment, education, and access to government services, including regular payments of wages and pensions.

The Government shall renovate clinics and hospitals and train nurses and physicians at all levels so they will be able to adequately serve all citizens. The government shall build new hospitals equipped with modern equipment, and allow any qualified individual to build private clinics and hospitals at any location where they are in demand by the general population.

The Government shall set up a clinic, a dispensary, and a nursery school in each village throughout the country.

The Government shall provide a sanitary water system and an adequate sewage disposal system in all high density population areas and eventually throughout the country.

The Government shall set up a medical prevention outreach program, which will focus on major infectious diseases, such as typhoid fever, dengue fever, and HIV. Further, the Government shall take measures to wipe out malaria.

The Government will help Lao women and girls who have been victims of international human trafficking for sex and cheap labor, especially those from provinces bordering Thailand. The Government will patrol Lao borders and arrest and prosecute human traffickers.

7. Education and Culture

To meet the standards of a modern state, the Government will educate Laotian youths in order to prepare Laos for the 21st century. The Government shall ensure equal access to education and promote educational excellence throughout the nation. Every Lao citizen shall have the right to education without any distinction of gender, ethnicity or social class. The Government shall construct and enlarge primary schools throughout every district, and high schools in all provinces. Education from primary through high school shall place special emphasis on mathematics and science, by providing good, standard and free-of-cost instruction to every student.

The Government will construct universities in every province, and vocational centers according to the need of each province, which will focus on agricultural, industrial, and home economics training.

The Government will renovate and update higher education institutions, colleges and universities along with building new technical colleges for those students who choose to learn certain new skills, and build adult education institutions for mature persons who wish to increase their personal knowledge.

The Government shall stress patriotism and solidarity in education programs for all children starting from elementary level.

The Government shall enforce national unity by preserving the national customs, traditions, and cultural norms of country and encourage individual ethnic minority groups to keep theirs.

8. Religion

While Buddhism is the religion of the vast majority of the people of Laos, the government will respect everyone's choice of religious practice. The Government will preserve Buddhist temples, Christian churches, and any other places of worship as sacred. The directorate of religious affairs will be incorporated in the Ministry of Interior.

9. Justice

The Government will apply the slogan of "Justice for All." Lao citizens will have the right to have lawyers and arrest warrants will be put into practice. It will reform the prison and correctional system by appointing a commission to revise and codify existing laws regarding penalties and sentences for offenses against the law, and to recommend changes.

10. Rural Affairs

The Government will reduce rural poverty by involving rural dwellers in improving and increasing their living standard. With the technical assistance of the various ministries concerned, the Government will create rural development programs to raise rural economic and social advancement. The programs will include building or repairing schools and dispensaries, improving rural water supply and sanitation, constructing public markets, building or improving roads, bridges, and irrigation systems, providing good health and hygiene education, and providing night classes for illiterate peasants.

Rural affairs will be emphasized especially in areas where ethnic minorities live. The Government will eradicate inequalities from Lao society in order to improve the quality of life for all Lao people so that no one will be left behind.

II. Foreign Policy

1. The Government shall abolish all treaties signed by the communist government of the Lao People's Democratic Republic, which have damaged Laos' national interests.

2. The Government shall not allow any foreign troops to be stationed on Lao territory or use Lao territory as a battlefield.

3. The Government shall establish positive diplomatic relations with neighboring countries and other friendly countries without distinguishing their political regimes upon the basis of respecting each country's territorial integrity and sovereignty, and non-interference in each country's internal affairs. The Government shall practice peaceful means of solving international conflicts.

4. The Government shall develop positive relations and cooperation with the Association of South East Asian Nations (ASEAN).

5. The Government shall engage in the world trade system and in joint economic ventures with any foreign country upon the basis of equality and mutual benefits.

6. The Government shall seek and accept friendly aid from governments and non-governmental organizations (NGOs) of neighboring countries and friendly countries that desire to help Laos rebuild its economy and trade.

7. The Government shall not allow foreigners to bring in illegal commodities to be sold in the country or used for production. The Government shall cooperate with neighboring countries and friendly countries to apprehend and extradite capital criminals and drug dealers who escape into Laos.

8. The Government shall cooperate with any country that protects human rights and supports peace, freedom, and democracy in the world.

Such is the new National Policy of Laos, presented by the ULCPFR. This historic document will serve as a model for good governance in the future for the Lao people. It is hopeful that Lao people will have peace, democracy and development, and that the lifestyle of every Laotian will be improved. Laos will become a state with a high standard of living like other civilized nations of the world.

ULCPFR appeals to all Lao people inside the country and abroad, who love the Homeland, peace, democracy, independence, and development, to support and enable its new National Policy to succeed. Furthermore, the

ULCPFR appeals to the peace-loving international communities and the signatory countries which signed Peace Agreement in Laos before 1975 so that peace, freedom and democracy can be restored to the Laotian people in the near future.

The adopted new National Policy can be amended and shall have to be approved by a 2/3 vote of those who participate in the conference of the ULCPFR.

Dr. Khamphay Abhay
President, ULCPFR

Mr. Chong Vang
Vice President and President of USA
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